

S.R. 40 - By Ellis: Recognizing Jesse C. Romero for his service as a special assistant to Senator Rodney Ellis.

S.R. 41 - By Ellis: Recognizing Dr. George K. Drake of Houston for his accomplishments in the field of addiction medicine.

S.R. 42 - By Ellis: Recognizing Marla Lorrain Travis Barfield of Houston for her achievements and positive impact on her community.

S.R. 46 - By Barrientos: Welcoming the Coalition of Hispanic American Police Associations to Austin.

S.R. 47 - By Lucio: Recognizing January 19, 1995, as "Bruce Aiken Day" in Brownsville.

ADJOURNMENT

In accordance with a previously adopted motion, the Senate at 11:31 a.m. adjourned until 10:00 a.m. tomorrow.

APPENDIX

REPORTS OF STANDING COMMITTEE

The following committee reports were received by the Secretary of the Senate:

January 18, 1995

FINANCE — S.B. 4, S.B. 8

SIXTH DAY

(Thursday, January 19, 1995)

The Senate met at 10:00 a.m. pursuant to adjournment and was called to order by Senator Truan.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Cain, Ellis, Gallegos, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Sims, Truan, Turner, Wentworth, West, Zaffirini.

Absent-excused: Brown, Whitmire.

A quorum was announced present.

Senate Doorkeeper James Morris offered the invocation as follows:

Our Father, we ask today for Your presence in this honored place and in the minds of the Members as they come together and

combine their energies and talents and focus on the complex issues facing our state leaders. By their debate and their decisions, may government in Texas be applied wisely and administered evenly and justly. In Your name. Amen.

On motion of Senator Leedom and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

On motion of Senator Leedom, Senator Brown was granted leave of absence for today on account of important business.

On motion of Senator Leedom, Senator Whitmire was granted leave of absence for today on account of important business.

CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 7

On motion of Senator Harris and by unanimous consent, Senator Nelson will be shown as Co-author of S.C.R. 7.

CO-AUTHOR OF SENATE BILL 13

On motion of Senator Montford and by unanimous consent, Senator Leedom will be shown as Co-author of S.B. 13.

CO-AUTHOR OF SENATE BILL 24

On motion of Senator Shapiro and by unanimous consent, Senator Leedom will be shown as Co-author of S.B. 24.

CO-AUTHOR OF SENATE BILL 25

On motion of Senator Sibley and by unanimous consent, Senator Leedom will be shown as Co-author of S.B. 25.

CO-AUTHOR OF SENATE BILL 26

On motion of Senator Bivins and by unanimous consent, Senator Cain will be shown as Co-author of S.B. 26.

CO-AUTHOR OF SENATE BILL 28

On motion of Senator Sibley and by unanimous consent, Senator Leedom will be shown as Co-author of S.B. 28.

CO-AUTHOR OF SENATE BILL 29

On motion of Senator Sibley and by unanimous consent, Senator Leedom will be shown as Co-author of S.B. 29.

CO-AUTHOR OF SENATE BILL 30

On motion of Senator Sibley and by unanimous consent, Senator Leedom will be shown as Co-author of S.B. 30.

CO-AUTHOR OF SENATE BILL 31

On motion of Senator Lucio and by unanimous consent, Senator Leedom will be shown as Co-author of S.B. 31.

CO-AUTHOR OF SENATE BILL 32

On motion of Senator Montford and by unanimous consent, Senator Leedom will be shown as Co-author of S.B. 32.

CO-AUTHOR OF SENATE BILL 83

On motion of Senator Shapiro and by unanimous consent, Senator Leedom will be shown as Co-author of S.B. 83.

CO-AUTHOR OF SENATE BILL 199

On motion of Senator Sims and by unanimous consent, Senator Wentworth will be shown as Co-author of S.B. 199.

CO-AUTHOR OF SENATE BILL 237

On motion of Senator Montford and by unanimous consent, Senator Cain will be shown as Co-author of S.B. 237.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time, and referred to the committees indicated:

S.C.R. 17 by Zaffirini Criminal Justice
Requesting the Texas Department of Criminal Justice to raise the funding priority of all diversion targeted programs including, but not limited to, battering intervention and prevention programs in order to increase offender services and provide adequate counseling.

S.C.R. 18 by Zaffirini Education
Requesting the Texas Higher Education Coordinating Board to conduct a review of courses related to violence in our society in all higher education institutions, universities, and schools receiving public money, including private schools receiving tuition equalization grants.

S.C.R. 19 by Harris Criminal Justice
Encouraging state agencies to work with local governments and private employers to develop and implement employment programs for juvenile offenders and at-risk youth.

S.C.R. 20 by Harris Finance
Requesting the comptroller of public accounts to conduct a performance review to determine if state agencies that provide services to children should be combined or overseen by a single board or agency.

S.C.R. 22 by Harris Criminal Justice
Encouraging the Texas Youth Commission to increase the usage of boot camps for juvenile offenders and to locate the facilities in close proximity to the large urban areas of our state.

S.C.R. 23 by Harris Criminal Justice
Encouraging law enforcement agencies to develop and implement first offender programs targeting juveniles at risk of committing criminal acts.

S.C.R. 24 by Patterson, Madla, Nelson, Shapiro, Wentworth, Brown State Affairs
Memorializing Congress to propose to the states an amendment to the United States Constitution protecting the American flag and 50 state flags from wilful desecration and exempting such desecration from constitutional construction as a First Amendment right.

S.C.R. 25 by Nixon Education
Approving the use by the board of regents of Stephen F. Austin University of money appropriated by Section 17(a), Article VII, Texas Constitution.

S.C.R. 27 by Leedom State Affairs
Directing that the present State Treasury Building, located at 200 East 10th Street, be named the Thomas Jefferson Rusk State Office Building.

S.J.R. 18 by Barrientos Education
Proposing a constitutional amendment providing for the issuance of general obligation bonds by the Texas Higher Education Coordinating Board.

S.J.R. 19 by Armbrister State Affairs
Proposing a constitutional amendment creating a panel with authority to approve the release of the state's interest in land that is held by a person in good faith under color of title.

S.J.R. 20 by Barrientos Finance
Proposing a constitutional amendment requiring the legislature to appropriate money for public schools before appropriating money for other purposes.

S.J.R. 21 by Nelson Criminal Justice
Proposing a constitutional amendment relating to prohibiting persons convicted of offenses committed on or after January 1, 1996, from being released from the institutional division of the Texas Department of Criminal Justice on parole or to mandatory supervision.

S.J.R. 22 by Nelson State Affairs
Proposing a constitutional amendment to limit the time that a person may serve in legislative office or in a statewide elective executive office.

S.B. 253 by Gallegos Intergovernmental Relations
Relating to conforming the Harris County Road Law to the Open Meetings Act and other statutes applicable to meetings of commissioners courts.

S.B. 254 by Wentworth Criminal Justice
Relating to authorizing community supervision and corrections departments to employ and commission as peace officers field unit officers.

S.B. 255 by Rosson Finance
Relating to the distribution of "Earned Income Tax Credits" information by the Comptroller of Public Accounts and other state agencies.

S.B. 256 by Rosson, Montford Jurisprudence
Relating to the creation of two judicial districts composed of El Paso County and to the composition of the 154th and 287th judicial districts.

S.B. 257 by West, Rosson State Affairs
Relating to establishing a good faith effort checklist to guide state agency efforts in assisting historically underutilized businesses to contract with the state and to auditing and enforcing state agency compliance with the state's purchasing assistance goals for those businesses.

S.B. 258 by Wentworth State Affairs
Relating to institutions of higher education that may offer alcoholic beverage seller training programs.

S.B. 259 by Cain Education
Relating to the authority of a school district to permit certain persons to perform services for the district in lieu of paying ad valorem taxes owed to the district.

S.B. 260 by Leedom Intergovernmental Relations
Relating to a municipal drainage utility system.

S.B. 261 by Leedom Intergovernmental Relations
Relating to certain charges in connection with a fine for violation of a motor vehicle law.

S.B. 262 by Leedom Jurisprudence
Relating to reports of, and suits for the protection of, abused children; providing a criminal penalty.

S.B. 263 by Wentworth Education
Relating to truancy.

(President in Chair)

SENATE RESOLUTION 51

Senator Henderson offered the following resolution:

WHEREAS, The Senate of the State of Texas is proud to honor Senator Eddie Lucio, Jr., as he celebrates his 49th birthday on January 20, 1995; and

WHEREAS, The birthday of an eminent colleague is an excellent time to pause and reflect on his notable accomplishments and to express appreciation to him for his dedication to the citizens of Texas; and

WHEREAS, Since being elected to represent the residents of District 27 in 1990, Senator Lucio has worked tirelessly to improve public and private education and to increase employment opportunities in the Rio Grande Valley; and

WHEREAS, Ever-mindful of his responsibilities to those he so ably serves, Senator Lucio has been an effective leader on various Senate committees and subcommittees; he has recently been appointed by Lieutenant Governor Bullock to chair the Subcommittee on Agriculture of the Natural Resources Committee for the 74th Legislature; and

WHEREAS, The son of Eduardo and Josefa Lucio, he was born on January 20, 1946, in Brownsville and received his education at Texas Southmost College, Texas A&I University, and Pan American University where he earned his bachelor of science degree in education; and

WHEREAS, Senator Lucio entered public life in 1971 when he ran successfully for Cameron County Treasurer and became the youngest county treasurer ever elected in the state at age 25; and

WHEREAS, After serving as Cameron County Commissioner, he was elected to the Texas House of Representatives in 1987 where his experience in finances led to his appointment as treasurer of the Mexican American Caucus; and

WHEREAS, The recipient of numerous awards and honors, Senator Lucio was honored with the Jose Maria Morales de Pavon Merit Award from the National Association of Newspaper Editors of Mexico for promoting international relations between the United States and Mexico; in 1993 he was cited for outstanding service to the Hispanic business community and was named State Senator of the Year by the Combined Law Enforcement Associations of Texas; 1994 brought further commendations including the Senator John A. Traeger Award for Legislator of the Year by the Texas Public Employees Association; and

WHEREAS, His family has been a constant source of support and encouragement throughout his productive life; sharing in the concerns and accomplishments of this esteemed senator are his lovely wife, Minnie, and their children, Lynda and Eddie III; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 74th Legislature, hereby extend best wishes for a most enjoyable 49th birthday to Senator Eddie Lucio; and, be it further

RESOLVED, That a copy of this Resolution be prepared for him as an expression of deepest admiration from the Texas Senate.

The resolution was read.

On motion of Senator Truan and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Henderson, the resolution was adopted by a viva voce vote.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas
January 19, 1995

TO THE SENATE OF THE SEVENTY-FOURTH LEGISLATURE,
REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

TO BE CHAIR OF THE STATE BOARD OF EDUCATION for a term to expire January 1, 1997:

DR. JACK CHRISTIE
12421 Memorial Drive
Houston, Texas 77024

Dr. Christie will be replacing Carolyn Honea Crawford of Beaumont, whose term expired.

Respectfully submitted,

/s/George W. Bush
Governor of Texas

SENATE BILL 52 REREFERRED

On motion of Senator Barrientos and by unanimous consent, **S.B. 52** was withdrawn from the Committee on Education and was rereferred to the Finance Subcommittee on Veteran Affairs.

CAPITOL PHYSICIAN

The "Doctor for the Day," Dr. Mathis Blackstock of Austin, was introduced to the Senate by Senator Barrientos.

The Senate expressed appreciation and gratitude to Dr. Blackstock for participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

CONCLUSION OF MORNING CALL

The President at 10:23 a.m. announced the conclusion of morning call.

SENATE BILL 4 ON SECOND READING

Senator Montford moved that the regular order of business, all necessary rules, and Section 5 of Article III of the State Constitution be suspended and that **S.B. 4** be taken up for consideration at this time:

S.B. 4, Relating to the issuance of general obligation bonds for projects relating to corrections institutions and to an emergency appropriation to the Texas Department of Criminal Justice for acquiring, constructing, and equipping corrections institutions.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Brown, Whitmire.

The bill was read second time and was passed to engrossment by a viva voce vote.

SENATE BILL 4 ON THIRD READING

Senator Montford moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 4** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Brown, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE BILL 8 ON SECOND READING

Senator Montford moved that the regular order of business, all necessary rules, and Section 5 of Article III of the State Constitution be suspended and that **S.B. 8** be taken up for consideration at this time:

S.B. 8, Relating to the distribution of certain state funds appropriated for education and certain statewide retirement systems.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Brown, Whitmire.

The bill was read second time and was passed to engrossment by a viva voce vote.

SENATE BILL 8 ON THIRD READING

Senator Montford moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 8** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Brown, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

GUESTS PRESENTED

Senator Patterson was recognized and introduced to the Senate Galveston County Judge James Yarbrough and Galveston County Commissioner Ed Stuart.

The Senate welcomed its guests.

RESOLUTIONS SIGNED

The President announced the signing of the following enrolled resolutions in the presence of the Senate:

H.C.R. 21

H.C.R. 36

LEGISLATIVE POLICY RESOLUTION

S.R. 55 - By Whitmire: Requesting the Congress of the United States to continue its efforts to determine the location and status of all United States military personnel still missing in Southeast Asia.

MEMORIAL RESOLUTION

S.R. 53 - By Luna: In memory of Rose Ann Ramirez-Jimenez of San Antonio.

CONGRATULATORY RESOLUTIONS

S.C.R. 21 - By Harris: Designating February 1, 1995, as the 18th annual Texas PTA Legislative Day.

S.C.R. 28 - By Truan: Recognizing and commending the BOSS '95 Symposium for its promotion of positive help for businesses.

S.C.R. 29 - By Gallegos: Recognizing the 100th anniversary of the founding of the chiropractic profession.

S.R. 49 - By Ellis: Congratulating Rabbi and Mrs. Joseph Radinsky of Houston on their 18th anniversary with United Orthodox Synagogues in Houston.

S.R. 50 - By Ellis: Congratulating Vernus Swisher of Houston on his selection as Citizen of the Month by the Anheuser-Busch Companies and *The Houston Defender*.

S.R. 52 - By Truan: Recognizing Lanette Nolte of Ingleside on the occasion of her retirement from the Port Aransas Chamber of Commerce.

S.R. 54 - By Henderson: Recognizing Dr. Don Collins of the Klein Independent School District for his achievements.

S.R. 56 - By Cain: Congratulating the Lindale Independent School District on the opening of its new high school.

S.R. 57 - By Ratliff: Congratulating Gary L. Hanks of Paris, Texas, on achieving the rank of Eagle Scout.

S.R. 61 - By Lucio: Congratulating Mr. and Mrs. Lupe H. Conde on the occasion of their 50th wedding anniversary.

ADJOURNMENT

On motion of Senator Truan, the Senate at 10:37 a.m. adjourned until 1:00 p.m. Monday, January 23, 1995.

SEVENTH DAY

(Monday, January 23, 1995)

The Senate met at 1:00 p.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Gallegos, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Sims, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

A quorum was announced present.

The Reverend Joseph C. Parker, Jr., David Chapel Missionary Baptist Church, Austin, offered the invocation as follows:

O gracious Father, we gather here today in obedience to Your word to pray for these Texas Senators, those who are in authority;